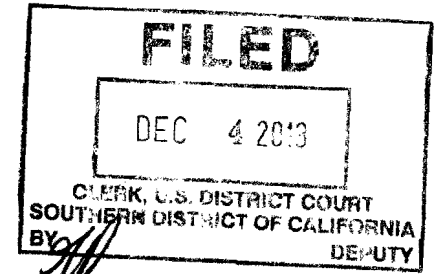


ORIGINAL

1 LAURA E. DUFFY
United States Attorney
2 MELANIE K. PIERSON
Assistant United States Attorney
3 California State Bar No. 112520
United States Attorney's Office
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-7976/Fax: (619) 546-0450
Email: melanie.pierson@usdoj.gov



6 Attorneys for Plaintiff
7 United States of America

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

Criminal Case No. 13CR4295-JLS

11 Plaintiff,

12 v.

INFORMATION

13 ALVARADO MEDICAL PLAZA
14 PHARMACY, INC. (1); and
15 WILLIAM NICHOLAS BURDINE (2),

16 Defendants.

17
18 The United States Attorney charges that:

19 **INTRODUCTORY ALLEGATIONS**

20 1. At all times relevant herein, defendant Alvarado Medical Plaza Pharmacy,
21 Inc. was a California corporation doing business in San Diego, in the business of
22 providing prescription medications to doctors, including oncology drugs.

23
24 2. At all times relevant herein, defendant William Nicholas Burdine was a
25 pharmacist licensed in the State of California and the owner of Alvarado Medical Plaza
26 Pharmacy, Inc.
27
28

Count 1

1
2 3. The allegations in paragraphs 1 and 2 of the Introductory Allegations are
3 incorporated herein as if set forth in full.

4
5 4. Between on or about May 2010 and on or about June 2011, within the
6 Southern District of California, defendant Alvarado Medical Plaza Pharmacy, Inc. did
7 knowingly and willfully execute, and attempt to execute, a material scheme and artifice to
8 defraud a health care benefit program, to wit: Medicare, in connection with the delivery of
9 and payment for health care benefits and services;

11 5. As a part of the scheme and artifice to defraud, defendant Alvarado Medical
12 Plaza Pharmacy, Inc. purchased approximately \$750,000.00 of prescription oncology
13 drugs not approved by the Food and Drug Administration for use in the United States, and
14 not approved by Medicare for reimbursement from sources abroad, at significant cost
15 savings; and
16
17

18 6. As a further part of the scheme and artifice to defraud, defendant Alvarado
19 Medical Plaza Pharmacy, Inc. sold these unapproved drugs to doctors, pre-mixed, in
20 infusion bags, without advising the doctors of their true origin, knowing that the doctors
21 would bill Medicare over \$1 million for these drugs as if they were actually drugs
22 approved for use in the United States, and approved for reimbursement by Medicare;
23
24

25 All in violation of Title 18, United States Code, Sections 1347 and 2.

26 ////

27 ////

Count 2

7. The allegations in paragraphs 1 and 2 of the Introductory Allegations are incorporated herein as if set forth in full.

8. Between on or about May 2010 and on or about June, 2011, within the Southern District of California, defendant William Nicholas Burdine did knowingly import merchandise, to wit: prescription oncology drugs not approved for use in the United States, contrary to law, to wit: Title 21, United States Code, Section 331(d), in violation of Title 18, United States Code, Sections 545 and 2.

Dated: November 21, 2013.

Respectfully submitted,

LAURA E. DUFFY
United States Attorney



MELANIE K. PIERSON

Assistant U.S. Attorney
Attorneys for Plaintiff
United States of America